

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JENNIE DEVRIES, Plaintiff, v. HOPE COLLEGE, Defendant.	Case No. 1:22-cv-01224-PLM Hon. Paul L. Maloney CLASS ACTION
TRICIA GARNETT, Plaintiff, v. HOPE COLLEGE, Defendant.	Case No. 1:22-cv-01225-PLM Hon. Paul L. Maloney CLASS ACTION
MARK CYPHERS, Plaintiff, v. HOPE COLLEGE, Defendant.	Case No. 1:23-cv-00013-PLM Hon. Paul L. Maloney CLASS ACTION
TIM DROST, Plaintiff,	Case No. 1:23-cv-00078-PLM Hon. Paul L. Maloney

<p>v.</p> <p>HOPE COLLEGE,</p> <p>Defendant.</p>	<p>CLASS ACTION</p>
<p>JOSEPH O. RODGERS,</p> <p>Plaintiff,</p> <p>v.</p> <p>HOPE COLLEGE,</p> <p>Defendant.</p>	<p>Case No. 1:23-cv-00109-PLM</p> <p>Hon. Paul L. Maloney</p> <p>CLASS ACTION</p>

**ORDER GRANTING JOINT MOTION TO CONSOLIDATE
CASES AND SET A SCHEDULE FOR THE FILING OF A
CONSOLIDATED AMENDED COMPLAINT**

WHEREAS, there are five related class actions pending in this Court which allege, *inter alia*, that Defendant Hope College (“Hope” or “Defendant”) failed to adequately safeguard the sensitive personally identifying information of Plaintiffs and putative Class Members. These cases are listed below.

- *Devries v. Hope College*, Case No. 1:22-cv-01224 (“*Devries*”), filed December 26, 2022 and currently pending before the Hon. Paul L. Maloney;
- *Garnett v. Hope College*, Case No. 1:22-cv-01225 (“*Garnett*”), filed December 27, 2022 and currently pending before the Hon. Paul L. Maloney; and
- *Cyphers v. Hope College*, Case No. 1:23-cv-00013 (“*Cyphers*”), filed January 5, 2023 and currently pending before the Hon. Paul L. Maloney;
- *Drost v. Hope College*, Case No. 1:23-cv-00078 (“*Drost*”), filed January 20, 2023 and currently pending before the Hon. Paul L. Maloney; and
- *Rodgers v. Hope College*, Case No. 1:23-cv-00109 (“*Rodgers*”), filed January 30, 2023 and currently pending before the Hon. Paul L. Maloney (collectively, the “Related Cases”).

WHEREAS, counsel for all of the parties in the Related Actions agree that consolidation of these matters is appropriate under Federal Rule of Civil Procedure 42(a);

WHEREAS, counsel for the parties in the Related Actions agree further agree that a single consolidated amended complaint should be filed;

WHEREAS, no discovery deadlines have yet been issued and no status conferences or Rule 16 conferences yet scheduled;

WHEREAS, continuing to litigate these five cases independently with varying response deadlines and eventual differences in discovery deadlines prior to consolidation would lead to inefficiency, duplication of effort, and an unnecessary expenditure of resources;

NOW THEREFORE, the Parties through their respective counsel and subject to the Court's approval STIPULATE and AGREE that:

1. The Related Actions pending in this District should be consolidated for all purposes, including pretrial proceedings, trial, and appeal, pursuant to Federal Rule of Civil Procedure 42(a) (hereafter the "Consolidated Action"):

2. All papers filed in the Consolidated Action must be filed under Case No. 1:22-cv-01224-PLM, the number assigned to the first-filed case, and must bear the following caption:

IN RE HOPE COLLEGE DATA SECURITY BREACH LITIGATION

Case No. 1:22-cv-01224-PLM
CONSOLIDATED ACTION

3. The case file for the Consolidated Action will be maintained under the Master File Case No. 1:22-cv-01224-PLM.

4. The clerk is directed to administratively close the following related cases:

- a. *Garnett v. Hope College*, Case No. 1:22-cv-01225;
- b. *Cyphers v. Hope College*, Case No. 1:23-cv-00013;
- c. *Drost v. Hope College*, Case No. 1:23-cv-00078; and
- d. *Rodgers v. Hope College*, Case No. 1:23-cv-00109.

5. Any action subsequently filed in, transferred to, or removed to this Court that arises out of similar facts as the Related Actions may be consolidated by the Court based on notice of such filing filed with the Court by Plaintiffs' counsel or Defendant's counsel and the passage of ten (10) days. If any party objects to such consolidation or otherwise wishes to seek alternative relief, they must do so before the expiration of that period.

6. Defendant is not required to respond to the individual complaints in *Devries*, *Garnett*, *Cyphers*, *Drost*, or *Rodgers*.

7. Within 30 days entry of this Order, Plaintiffs in the Related Actions shall file a single consolidated amended complaint in the Consolidated Action.

8. Within 45 days from the date on which the consolidated amended complaint is filed, Defendant shall file its response thereto.

9. If Defendant responds by way of motion, Plaintiffs will have 30 to oppose the motion, and Defendant will have twenty-one 21 days to file a reply.

10. The parties will confer under Federal Rule of Civil Procedure 26 within 14 days after Defendant files its Answer.

11. The parties will submit a Joint Rule 26(f) Report and make the required initial disclosures pursuant to Federal Rule of Civil Procedure 26(a) within 14 days after conferring under Federal Rule of Civil Procedure 26.

IT IS SO ORDERED on this 14th Day of February, 2023.

/s/ Paul L. Maloney
JUDGE PAUL L. MALONEY
UNITED STATES DISTRICT JUDGE